

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

EXPRESS MAIL LABEL NO.: EV 725 078 291 US

October 11, 2005

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: 3400.P1424US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **10/552939** Unknown

CONFIRMATION NO.: Unknown

INTERNATIONAL APPLICATION NO.: PCT/JP2004/005760

INTERNATIONAL FILING DATE: April 22, 2004

PRIORITY DATE CLAIMED: April 24, 2003

TITLE OF INVENTION: SEPARATING AGENT FOR ENANTIOMERIC ISOMERS

APPLICANTS FOR DO/EO/US: Yoshio OKAMOTO and Chiyo YAMAMOTO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

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Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 including a copy of the International Search Report.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13~~ter~~.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
Title Page of WIPO Document WO 2004/094342 A3
Form PCT/IB/301 – Notification of Receipt of Record Copy
Form PCT/IB/304 – Notification Concerning Submission or Transmittal of Priority Document
Form PCT/IB/308 – First Notice Informing Applicant of Communication of Int'l Appln. ...
Form PCT/IB/308 – Second and Supplementary Notice Informing Applicant of Communication ...
Form PCT/IB/311 – Notification Concerning Transmittal of Copy of Int'l Appln as Published ...
Form PCT/IB/311 – Notification Concerning Transmittal of Copy of Int'l Appln as Republished ...
Postal Card

The following fees have been submitted:	Calculations	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))\$300.00	\$300.00	
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0.00 All other situations\$200.00	\$200.00	
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0.00 Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$400.00 All other situations\$500.00	\$400.00	
TOTAL OF 21, 22 AND 23 =	\$900.00	

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) **10/552939**

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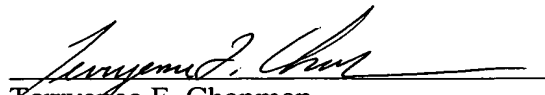
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$ 50.00	\$	
Ind. claims	1 - 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00				\$	
TOTAL OF ABOVE CALCULATIONS =				\$900.00	
[] Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$900.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$

- a. [X] A check in the amount of **\$900.00** to cover the above fees is enclosed.
- b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

IN DUPLICATE

PLEASE DIRECT CORRESPONDENCE TO THE ADDRESS ASSOCIATED WITH THE FOLLOWING CUSTOMER NUMBER: 23474

300.07/05


Terryence F. Chapman
Registration Number: 32 549
TFC/smd

FLYNN, THIEL, BOUTELL & TANIS, P.C.
2026 Rambling Road
Kalamazoo, Michigan 49008-1631

Express Mail Label No.: EV 725 078 291 US

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Date of Mailing: October 11, 2005

Applicants: Yoshio OKAMOTO et al

Title: SEPARATING AGENT FOR ENANTIOMERIC ISOMERS

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Atty. Docket No.: 3400.P1424US

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAILING CERTIFICATE

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FLYNN, THIEL, BOUTELL & TANIS, P.C.

By: *Mina Schipper*

Date: October 11, 2005

Documents attached: Nationalized PCT Application
Transmittal dated October 11, 2005
including enclosures listed thereon

Telephone: (269) 381-1156

391.05/05